

1
2
3
4
5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
7

8 SANDRA L. KINNEY, *et al.*,

No. C-12-4477 EMC

9 Plaintiffs,

RELATED TO

10 v.

No. C-12-4478 EMC

11 BRISTOL-MYERS SQUIBB COMPANY, *et*
12 *al.*,

No. C-12-4615 EMC

No. C-12-4616 EMC

No. C-12-4617 EMC

No. C-12-4619 EMC

No. C-12-4633 EMC

No. C-12-4641 EMC

No. C-12-4642 EMC

No. C-12-4803 EMC

13 Defendants.
14 _____/

15 AND ALL RELATED ACTIONS.

16 **ORDER STAYING LITIGATION**
17 **PENDING DECISION BY MDL**
18 **JUDICIAL PANEL**


19 At a hearing held on November 30, 2012, the Court discussed with the parties whether there
20 should be a stay in the above-referenced lawsuits in light of Bristol-Myers and Sanofi's motion to
21 transfer and consolidate with the Judicial Panel on Multidistrict Litigation (which was filed on
22 October 15, 2012). *See* Docket No. 19 (notice). Having considered the parties' positions, as
23 articulated in their joint case management statement and at the hearing, the Court concludes that a
24 stay is warranted. There is a reasonable likelihood that issues currently before this Court (*e.g.*,
25 fraudulent joinder, CAFA jurisdiction, and/or procedural misjoinder) will arise in other Plavix cases
26 filed in other district courts. Moreover, Plaintiffs have not adequately established that they would be
27 prejudiced by any delay resulting from a stay, particularly where the stay is likely to be brief in
28

1 length. *See* Docket No. 24 (CMC St. at 4) (stating Defendants' best estimate that the panel hearing
2 will take place on January 31, 2013).

3 Accordingly, the Court hereby **STAYS** the litigation in each of the above-referenced actions
4 pending a decision by the MDL Judicial Panel on the motion to transfer and consolidate.

5
6 IT IS SO ORDERED.

7
8 Dated: December 3, 2012

9
10 
11 EDWARD M. CHEN
12 United States District Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28